

REMARKS

Reconsideration of the application is requested in view of the modifications above and the remarks below. Applicants have amended the claims to place the Application in condition for allowance or for better condition for appeal. The amendment does not create any undue burden for the Examiner.

A. Rejections Under 35 USC 102

1. The Office Action rejected Claims 1 and 8 under 35 USC 102(e) over U.S. Pat. No. 6,322,912 (Fife). The rejection should be withdrawn in view of the modifications above and remarks below.

Claims 1 and 8 relate to an anode comprising (a) a niobium metal core, (b) a conducting niobium suboxide layer, and (c) a dielectric barrier layer comprising niobium pentoxide and have been amended to include the conductive niobium suboxide layer is situated between the niobium pentoxide layer and the niobium metal core.

Fife does not disclose that "the conductive niobium suboxide layer is situated between the niobium pentoxide layer and the niobium metal core of Applicants' invention." Accordingly, claims 1 and 8 are believed to be in condition for allowance. Reconsideration is requested.

2. Rejection of Claim 4 Under 35 USC 102(e) over U.S. Pat. No. 6,215,652

The Office Action rejected Claim 4 under U.S. Pat. No. 6,215,652 (Yoshida et al). The rejection should be withdrawn in view of the modifications above and remarks below.

Claim 4 relates to a process for producing an anode for a capacitor and has been amended to include wherein the anode comprises: (a) a niobium metal core, (b) a conducting niobium suboxide layer, and (c) a dielectric barrier layer comprising niobium pentoxide, wherein the conductive niobium suboxide layer is situated between the niobium pentoxide layer and the niobium metal core.

Yoshida does not disclose that “the conductive niobium suboxide layer is situated between the niobium pentoxide layer and the niobium metal core, and thus does not anticipate Applicants’ invention. Reconsideration is requested.

B. Rejections Under 35 USC 103

1. Rejection of Claim 2 Under 35 USC 103 Over Fife in view of U.S. Pat. No. 6,136,062 (Löffelholz)

The Office Action rejected Claim 2 Under 35 USC 103 over Fife in view of U.S. Pat. No. 6,136,062 (Löffelholz). The rejection should be withdrawn in view of the remarks below.

Regarding Löffelholz, Löffelholz also does not teach or suggest that “the conductive niobium suboxide layer is situated between the niobium pentoxide layer and the niobium metal core of Applicants’ invention.” Thus, neither Löffelholz or Fife, alone or in combination teach Applicants’ invention of Claim 1. And, Claim 2 depends from independent Claim 1 which as discussed above is believed to be in condition for allowance. Accordingly, Claim 2 is also believed to be in condition for allowance.

2. Rejection of Claim 5 under 35 USC 103 over Yoshida in view of Löffelholz et al

The Office Action rejected Claim 5 under 35 USC 103 over Yoshida in view of Löffelholz et al. The rejection should be withdrawn in view of the remarks below.

As discussed above, neither Yoshida or Löffelholz et al, either alone or in combination, teach or suggest Applicants’ invention of independent Claim 4. Claim 5 depends from independent Claim 4, accordingly Claim 5 is also believed to be in condition for allowance. Reconsideration is requested.

3. Rejection of Claim 3 Under 35 USC 103 over Fife

The Office Action rejected Claim 3 under 35 USC 103 over Fife. The rejection should be withdrawn in view of the remarks below.

Claim 3 depends from Claim 1 and as discussed above is believed to be in condition for allowance. Accordingly, Claim 3 is also believed to be in condition for allowance. Reconsideration is requested.

4. Rejection of Claims 6 and 7 Under 35 USC 103 over U.S. Pat. No. 6,215,652.

The Office Action rejected Claims 6, and 7 under 35 USC 103 over U.S. Pat. No. 6,215,652 (Yoshida). The rejection should be withdrawn in view of the remarks below.

Claims 6 and 7 depend from Claim 4, either directly or indirectly, as discussed above Claim 4 is believed to be in condition for allowance. Accordingly, Claims 6 and 6 are also believed to be in condition for allowance. Reconsideration is requested.

In view of the foregoing amendments and remarks, allowance of Claims 1-8 is earnestly requested.

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